

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

Bail Appl..No. 6327 of 2007()

CMP.4763/2007 of J.M.F.C.,KASARAGOD
[CR.NO.62/2007 OF KASARAGOD EXCISE RANGE]
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: PETITIONER/ACCUSED

BAIJU @ VIJAYAN, S/O. KRISHNAN,
DEVARADUKA, MANYA, BALA VILLAGE, KASARAGOD.

BY ADV. SRI.T.B.SHAJIMON
SMT.GOVINDU P.RENUKADEVI

RESPONDENTS: COMPLAINANT

THE SUB INSPECTOR OF POLICE,
KASARAGOD EXCISE RANGE, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22/10/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT, J.

B.A.No.6327 of 2007

Dated this the 22nd day of October 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 10 litres of arrack on 27/9/2007. He was arrested and continues in custody from that date. The learned Public Prosecutor points out that the petitioner has one more case under the Kerala Abkari Act registered earlier against him.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 29/10/2007. The investigating

officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007